

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILBURN KIMBROUGH,

Plaintiff,

Case no. 09-13259

Honorable John Corbett O'Meara

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant,

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, pursuant to 72(b) of the Federal Rules of Civil Procedure, 28 U. S. C. 636(b)(1)(B), and LR 72.1(b)(3), has reviewed Magistrate Judge Michael Hluchaniuk's August 19, 2010 report and recommendation; Plaintiff's September 9, 2010 objection; Defendant's September 23, 2010 response to objection; and having thoroughly reviewed the relevant papers,

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment is DENIED, Defendant's motion for summary judgment is GRANTED, and the findings of the Commissioner are hereby AFFIRMED.

s/John Corbett O'Meara

United States District Judge

Date: September 28, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 28, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager